

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:)		
)	CHAPTER:	13
DEONTAYE LORANZO HAMER)	CASE NO.:	14-04593
SSN: XXX-XX-1383)	JUDGE:	MASHBURN
PO BOX 78153)		
NASHVILLE, TN 37207)		
Debtor)		

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: June 22, 2015
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: July 8, 2015, at 8:30
a.m. in Courtroom 1, Customs House, 701 Broadway, Nashville, TN 37203.

**NOTICE OF MOTION TO SUSPEND CHAPTER 13 PLAN PAYMENTS AND TO
MODIFY PLAN**

Debtor has asked the court for the following relief: To suspend plan payments and to modify the Debtor's plan.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>.

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: U.S. Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 P.M.).

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by viewing the case on the Court's website at <https://ecf.tnmb.uscourts.gov>.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: May 29, 2015

Signature: /s/ Gray Waldron
Name: Gray Waldron
Address: 1222 16th Avenue South, Suite 12
Nashville, TN 37212-2926

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Debtor)		

MOTION TO SUSPEND CHAPTER 13 PLAN PAYMENTS AND TO MODIFY PLAN

COMES the Debtor, through counsel, Rothschild & Ausbrooks, PLLC, and hereby moves to suspend two (2) monthly Chapter 13 plan payments and to modify his confirmed plan. In support of this motion, the Debtor would state as follows:

1. The Debtor lost his employment in May, 2015 and is temporarily unable to fund his plan while seeking a job with newly obtained Commercial Driver's License. The Debtor expects to regain the ability to fund his plan in August, 2015.
2. The Debtor moves to suspend two (2) monthly Chapter 13 payments covering the months of June & July, 2015. The Debtor would resume funding the plan in August, 2015.
3. As a result of the suspended payments, secured creditors Insolve Auto Funding and priority creditor Central Child Support Receipting Unit would each miss two (2) monthly disbursements from the Chapter 13 Trustee.
4. Upon resumption in August, 2015, the Debtor's plan payments would increase from \$350.00 bi-weekly and \$94.25 weekly to \$285.25 weekly to cure the default created by this suspension. The plan base would remain \$68,200.00 *plus tax refunds* and the guaranteed minimum dividend to allowed unsecured claims would remain zero percent (0%) over a plan length not to exceed sixty (60) months from confirmation.

5. Additionally, the Debtor would continue dedicate all future income tax refunds to the Trustee for the life of the plan, which would be applied to increase the plan base, and his case would continue on a probationary basis subject to dismissal upon application of the Trustee following a future default in plan payments.

6. Debtor attaches an Amended Family Budget in support of this motion which reflects his currently monthly income and expenses, and details material changes since the last budget was submitted.

7. The Debtor attended the Trustee's money management class on December 9, 2014.

Respectfully submitted,

/s/ *Gray Waldron*

GRAY WALDRON

ROTHSCHILD & AUSBROOKS, PLLC

Attorney for Debtor(s)

1222 16th Avenue South, Suite 12

Nashville, TN 37212-2926

(615) 242-3996 (telephone)

(615) 242-2003 (facsimile)

notice@rothschildbklaw.com

CERTIFICATE OF SERVICE

I certify that on this 1st day of June, 2015, I served a copy of the foregoing in the following manner:

Email by Electronic Case Noticing to:

Beth R. Derrick, Asst. U.S. Trustee
Henry E. Hildebrand, III, Chapter 13 Trustee

By U.S. Postal Service, postage prepaid to:

All parties-in-interest per the below attached matrix.

/s/ Gray Waldron

GRAY WALDRON

TOTAL FIRST CLASS MAILINGS: 43

Amended Matrix

Adjustment Service

Attn: Officer Manager or Agent
PO Box 1512
Knoxville TN 37901-1512

Auto Masters

Attn: Officer Manager or Agent
4601 Nolensville Road
Nashville TN 37211

Automated Collection Services

Attn: Officer Manager or Agent
PO Box 17423
Nashville TN 37217

Bank of America

Attn: Officer
PO Box 982235
El Paso TX 79998-2235

Cash Direct

Attn: Officer Manager or Agent
PO Box 2780
Wilmington DE 19805

Chanel D Waters

1594 9th Ave N
Nashville TN 37208-2110

CHILD SUPPORT SERVICES OF TENNESSEE

c/o KIAWSHA S PATTON

44 VANTAGE WAY SUITE 300
NASHVILLE, TN 37228

CHILD SUPPORT SERVICES OF TENNESSEE

c/o JAZZMINE S PRIMM
44 VANTAGE WAY SUITE 300
NASHVILLE, TN 37228

CHILD SUPPORT SERVICES OF TENNESSEE

c/o HOLLY E CAMPBELL
44 VANTAGE WAY SUITE 300
NASHVILLE, TN 37228

CHILD SUPPORT SERVICES OF TENNESSEE

c/o CHANEL D WATERS
44 VANTAGE WAY SUITE 300
NASHVILLE, TN 37228

Convergent Outsourcing Inc

Attn: Officer Manager or Agent
PO Box 9004
Renton WA 98057

Credit Management LP

Attn: Officer Manager or Agent
4200 International Pkwy
Carrollton TX 75007-1912

Deontaye Loranzo Hamer

PO Box 78153
Nashville TN 37207-8153

Direct Loan Servicing Center

Attn: Officer Manager or Agent
PO Box 5609
Greenville TX 75403-5609

Holly Campbell

129 Pleasant Street
Concord NH 03301

Inland Bank

% Susan Faulkner
736 Currey Road
Nashville TN 37217

InSolve Auto Funding, LLC, c/o Capital Recovery Gr

Dept 3403
PO Box 123403
Dallas, TX 75312-3403

IRS Insolvency

Attn: Officer Manager or Agent
PO Box 7346
Philadelphia PA 19101-7346

Jazzmin S Primm
930 40th Avenue North
Nashville TN 37209

Kiawsha S Patton
1404 Tempamy Court
Nashville TN 37207

Limited Auto Sales Inc
Attn: Officer Manager or Agent
134 Donelson Pike
Nashville TN 37214

Metro Auto Sales
Attn: Officer Manager or Agent
1243 S Dickerson Road
Goodlettsville TN 37072

METRO WATER SERVICES
1700 3RD AVE N
NASHVILLE TENNESSEE 37208

Midland Credit Management, Inc.
as agent for Asset Acceptance LLC
PO Box 2036
Warren, MI 48090

Nashville Electric Service
1214 Church Street
Nashville, TN 37246

NASHVILLE GENERAL EMERGENCY DEPARTMENT
Revenue Recovery Corporation
PO Box 50250
Knoxville, TN 37950-0250

NASHVILLE THMS EMERGENCY DEPARTMENT
Revenue Recovery Corporation
PO Box 50250
Knoxville, TN 37950-0250

National Credit Systems
Attn: Officer Manager or Agent
PO Box 312125
Atlanta GA 31131

New Hampshire Dept of Health and Human S
129 Pleasant Street
Concord NH 03301

Revenue Recovery Corp
Attn: Officer Manager or Agent
PO Box 50250
Knoxville TN 37950-0250

Robinson Reagan & Young PLLC
105 Broadway #300
Nashville TN 37201

Signature Loan Co

Attn: Officer Manager or Agent
713-B Main St
Nashville TN 37206

Solutia Healthcare

1505 Carmack Blvd
Columbia TN 38401

Sure Advance LLC

Attn: Officer Manager or Agent
750 Shipyard Drive #213
Wilmington DE 19801

TN Atty Generals Office BK Unit

RE: Dept of Labor & Workforce Dev
PO Box 20207
Nashville TN 37202

TN Atty Generals Office BK Unit

RE: TN Student Assistance Corp
PO Box 20207
Nashville TN 37202

TN Child Support Receipting Unit

Attn: Officer Manager or Agent
PO Box 305200
Nashville TN 37229

TN Dept of Labor & Workforce Dev - BPC

c/o TN Attorney Generals Office
Bankruptcy Division
PO Box 20207
Nashville, TN 37202-0207

U.S. Department of Education

P.O. Box 16448
Saint Paul, MN 55116

US Attorney

110 9th Ave S #A961
Nashville TN 37203

US Auto Credit

Attn: Officer Manager or Agent
176 Cude Lane
Madison TN 37115

World Acceptance Corp/BK Processing

PO Box 6429
Greenville SC 29606

World Finance Corporation

925 Gallatin Avenue,
Suite 104
Nashville, TN 37206

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IN RE:)		CASE NO:	14-04593
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Deontaye Hamer)		JUDGE	MASHBURN
)			
Debtor(s))			

AMENDED MONTHLY FAMILY BUDGET

Dates of Budgets:			<u>Prior Budget*</u> <u>12/9/2014</u>	<u>Current Budget*</u> <u>5/29/2015</u>
<u>EXPENSES</u>				
Rent/Mortgage Payment:			\$ -	\$ 50.00
Utilities:	Prior*	Current*		
Electric, heat, natural gas:	\$ -	\$ -		
Water, sewer, garbage:	\$ -	\$ -		
Telephone, cell, internet, cable:	\$ 60.00	\$ 60.00		
Other:	\$ -	\$ -		
Other:	\$ -	\$ -		
Total Utilities:			\$ 60.00	\$ 60.00
Food:			\$ 250.00	\$ 250.00
Childcare/Education Costs:			\$ -	\$ -
Clothing / Laundry & Dry Cleaning:			\$ 80.00	\$ 80.00
Personal Care Products & Services:			\$ 30.00	\$ 30.00
Medical & Dental Expenses:			\$ 25.00	\$ 25.00
Transportation:			\$ 250.00	\$ 250.00
Entertainment/Recreation:			\$ 50.00	\$ 50.00
Charity:			\$ -	\$ -
Insurance (not deducted from wages):				
Auto:	\$ 110.00	\$ 110.00		
Life:	\$ -	\$ -		
Home:	\$ -	\$ -		
Renters:	\$ -	\$ -		
Other:	\$ -	\$ -		
Total Insurance:			\$ 110.00	\$ 110.00
Taxes (not deducted from wages):			\$ -	\$ -
Child Support:			\$ -	\$ -
Home Maintenance:			\$ -	\$ -
Pet Expenses:			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
Other:			\$ -	\$ -
TOTAL MONTHLY EXPENSES:			\$ 855.00	\$ 905.00

INCOME

			<u>Prior Budget*</u>	<u>Current Budget*</u>
Debtor's Gross Income:			\$ 997.72	\$ -
Spouse's Gross Income:			\$ -	\$ -
Payroll Deductions:	Prior*	Current*		
Payroll Taxes:	\$ 76.32	\$ -		
401(k) contributions:	\$ -	\$ -		
Insurances:	\$ -	\$ -		
Other:	\$ -	\$ -		
Total Payroll Deductions:			\$ 76.32	\$ -
Other Regular Income:				
Child Support:	\$ 260.00	\$ 260.00		
Food Stamps:	\$ 147.00	\$ 329.00		
Second Job:	\$ 777.00	\$ -		
Total Other Regular Income:			\$ 1,184.00	\$ 589.00
TOTAL MONTHLY INCOME:			\$ 2,105.40	\$ 589.00

SUMMARY:

Total Monthly Income (from above):	\$ 2,105.40	\$ 589.00
minus Total Monthly Expenses (from page 1):	\$ (855.00)	\$ (905.00)
equals Monthly Surplus:	\$ 1,250.40	\$ (316.00)
Monthly Plan Payment:	\$ -	\$ -
Duration of Plan (months):		
Dividend to Unsecured Creditors (%)	0%	0%
Secured Creditors Affected:		

***Explain any increase or decrease in income, expenses, or dividend that exceeds 10%:**

Debtor's previous budget was supplied with a prior suspension for him to attend CDL training. He now has his CDL and is seeking driving job. He lost his employment in Mid-May and expects to have a driving job and the ability to fund his plan in August, 2015. Household size of 2: Debtor and 9 year old son.

/s/Deontaye Hamer
DEONTAYE HAMER

May 29, 2015
(Date)